

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001**

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Docket No. MC2002-1

**STATEMENT OF AMERICAN POSTAL WORKERS UNION, AFL-CIO
CONCERNING STATEMENT OF UNITED STATES POSTAL SERVICE
CONCERNING COMPLIANCE WITH FILING REQUIREMENTS AND
CONDITIONAL MOTION FOR WAIVER**

(May 23, 2002)

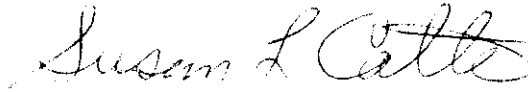
The American Postal Workers Union, AFL-CIO ("APWU") opposes the Postal Service's request to incorporate materials from Docket No. R2001-1 to satisfy the filing requirements in the Commission's Rules of Practice and Procedure (Rule 54 and 64), but supports the Postal Service's conditional motion for waiver of those filing requirements. The APWU agrees with the Postal Service that Confirm® is a minor and ancillary addition to the array of mail and special services that will have a small or non-existent impact on total Postal Service costs and revenues and on costs, volumes, and revenues of mail categories and other special services and consequently that the filing requirements in question concerning overall costs, volumes and revenues should be waived for this case.

The APWU opposes incorporation of materials from Docket No. R2001-1 in this case or any other. That case, as the Postal Service acknowledges at footnote 1 of its April 24, 2002 statement and conditional motion, was settled on a non-precedential basis. The data for R2001-1 was outdated when it was submitted, having been developed and prepared prior to September 11, 2001, and was made even more out of date by the anthrax attacks of October, 2001. See Opinion and Recommended Decision Approving Stipulation and Agreement, Docket No. R2001-1, paragraphs 1001 – 1009. Finally, because R2001-1 was not fully litigated, using data from that case may lead to litigation of issues in this case that were not litigated in R2001-1 because of the settlement of R2001-1.

The APWU urges the granting of the Postal Service's motion for waiver in this case as the data is unnecessary for this limited proposed service and

waiving the requirements will avoid unnecessary litigation on issues that are not relevant to this case.

Respectfully submitted,

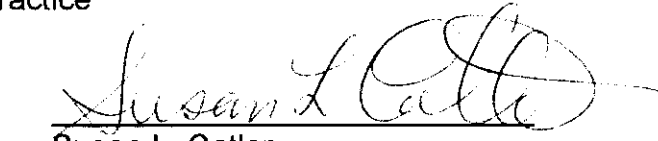


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CERTIFICATION

I hereby certify that I have this date served the foregoing document in accordance with the rules of practice



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May 23, 2002